

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on April 9, 2003. Applicant notes that Office Action is exceptionally lengthy, that about 30 pages of the Office Action appears to repeat the rejections made in the previous Office Action verbatim. Applicant respectfully reserves the right to traverse any of the assertions made in the exceptionally lengthy Office Action. Claims 13-22, 24-29, 31-33, 35-39, 41, 42, 44-48 and 50-61 were pending prior to this Response. In an effort to advance the prosecution of this application to finality, Applicant has amended claims 22, 24, 26, 29, 31 and 58-59 and canceled claims 13-21, 25, 28, 32-33, 35-39, 41-42, 44-48, 50-57 and 60-61 to simplify the issues in prosecuting this application. As a result, claims 22, 24, 26-27, 29, 31 and 58-59 are now pending in this application.

§103 Rejection of the Claims

Claims 13 and 15-20 were rejected under 35 USC § 103(a) as being unpatentable over Orth (U.S. Patent No. 5,750,317) in view of Gordon (U.S. Patent No. 5,066,616) and Yoda et al. (U.S. Patent No. 5,876,882). Claims 13 and 15-20 have been canceled to simplify the prosecution, and thus this rejection is now moot.

Claims 14 and 21 were rejected under 35 USC § 103(a) as being unpatentable over Orth, Gordon, and Yoda et al. as applied to claims 13 and 19 above, and further in view of Hayes et al. (U.S. Patent No. 5,849,084). Claims 14 and 21 have been canceled to simplify the prosecution, and thus this rejection is now moot.

Claim 22 was rejected under 35 USC § 103(a) as being unpatentable over Orth, Gordon, and Yoda et al. as applied to claim 19 above, and further in view of the admitted prior art. Claim 22 is believed to be patentable at least for the reasons that follow.

Claims 24, 26, and 27 were rejected under 35 USC § 103(a) as being unpatentable over Orth in view of Gordon, Yoda et al., and the admitted prior art. Claim 24, 26 and 27 are believed to be patentable at least for the reasons that follow.

Claims 28, 29, 31, 37, 41, and 58-60 were rejected under 35 USC § 103(a) as being unpatentable over Orth in view of Gordon, Yoda et al., Hasebe et al. (U.S. Patent No. 5,658,615), and the admitted prior art. Claims 28, 37 and 41 have been canceled to simplify the prosecution,

and thus this rejection is now moot with respect to these claims. Claims 29 and 31 are believed to be patentable at least for the reasons that follow.

Claim 42 was rejected under 35 USC § 103(a) as being unpatentable over Orth in view of Gordon, Yoda et al., and Hasebe et al. Claim 42 has been canceled to simplify the prosecution, and thus this rejection is now moot.

Claims 32, 33, and 36 were rejected under 35 USC § 103(a) as being unpatentable over Orth in view of Gordon, Yoda et al., the admitted prior art, and Hasebe et al. Claims 32, 33, and 36 have been canceled to simplify the prosecution, and thus this rejection is now moot.

Claims 25 and 35 were rejected under 35 USC § 103(a) as being unpatentable over Orth, Gordon, Yoda et al., the admitted prior art, and Hasebe et al. as applied to claims 24 and 32 above, and further in view of Ikeno et al. (U.S. Patent No. 4,886,012). Claims 25 and 35 have been canceled to simplify the prosecution, and thus this rejection is now moot.

Claims 13-22, 24-29, 31-33, 35-39, 41, and 42 were rejected under 35 USC § 103(a) as being unpatentable over the admitted prior art and Orth. Claims 13-21, 25, 28, 32-33, 35-39, 41, and 42 have been canceled to simplify the prosecution, and thus this rejection is now moot with respect to these claims. Claims 22, 24, 26-27, 29, 31 are believed to be patentable for the reasons that follow.

Claims 44-48 and 50-61 were rejected under 35 USC § 103(a) as being unpatentable over the admitted prior art and Orth. Claims 44-48, 50-57 and 60-61 have been canceled to simplify the prosecution, and thus this rejection is now moot with respect to these claims. Claims 58-59 are believed to be patentable at least for the reasons that follow.

Independent claim 22 has been amended to clarify the subject matter recited in the claim. With respect to independent claim 22, Applicant is unable to find, in the cited portions of the Orth, Gordon, and Yoda et al. references, and the admitted prior art, a suggestion of a solvent head that includes the first, second and third nozzles directed as recited in the claim, and a process executed by the logic control unit as recited in the claim. Applicant respectfully asserts that the rejection improperly combined references.

With respect to independent claim 24, Applicant is unable to find, in the cited portions of the Orth, Gordon, and Yoda et al. references, and the admitted prior art, a suggestion of a solvent head that includes the first, second and third nozzles directed as recited in the claim, and a

process executed by the logic control unit as recited in the claim. Applicant respectfully asserts that the rejection improperly combined references.

With respect to independent claim 58, Applicant is unable to find, in the cited portions of the Orth, Gordon, Yoda et al. and Hasebe et al. references, and the admitted prior art a suggestion of a track coating unit coupled to the bulk solvent container, where the track coating unit includes a solvent dispense head with first, second and third nozzle directed toward the wafer as recited in the claim, and a logic control unit to execute a process to coat the wafer, as recited in the claim. Applicant respectfully asserts that the rejection improperly combined references.

With respect to independent claims 22, 24 and 58, Applicant has asserted that the rejections improperly combined references. The references must suggest the desirability to combine to form the subject matter recited in the claims. The suggestion to make the claimed combination must be found in the references, and not in the Applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991); MPEP §2143. Hindsight reasoning must be avoided. *In re Bond*, 910 F.2d 831, 834, 15 USPQ2d 1566, 1568 (Fed. Cir. 1990).

Applicant respectfully requests withdrawal of the § 103 rejections, and reconsideration and allowance of the claims.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6960 to facilitate prosecution of this application. Should the rejections be maintained, Applicant respectfully requests that the Examiner facilitate the prosecution of this application by clearly and succinctly identifying the portions of the references relied upon in arriving at the conclusion that the recited combination in the claims is suggested by the references.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

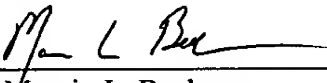
Respectfully submitted,

JOHN WHITMAN

By his Representatives,

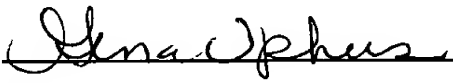
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Date 6-9-03

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O.Box 1450, Alexandria, VA 22313-1450, on this 9 day of June, 2003

Gina M. Uphus
Name


Signature